

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
VUZIX CORPORATIONDEFENDANTS
RICARDO ANTONIO PEARSON a/k/a RICHARD PEARSON

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

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Sichenzia Ross Ference LLP
1185 Avenue of the Americas, 37th Floor
New York, NY 10036

Tel. (212) 930-9700

ATTORNEYS (IF KNOWN)

Christine N. Walz
Holland & Knight LLP
31 West 52nd Street
New York, NY 10019

Tel. (212) 513-3200

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

State libel claim removed to federal court pursuant to 28 U.S.C. §§ 1332, 1441 and 1446.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY [] 310 AIRPLANE [] 315 AIRPLANE PRODUCT [] 320 ASSAULT, LIBEL & SLANDER [] 330 FEDERAL EMPLOYERS' LIABILITY [] 340 MARINE [] 345 MARINE PRODUCT LIABILITY [] 350 MOTOR VEHICLE [] 355 MOTOR VEHICLE PRODUCT LIABILITY [] 360 OTHER PERSONAL INJURY [] 362 PERSONAL INJURY - MED MALPRACTICE	FORFEITURE/PENALTY [] 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY [] 365 PERSONAL INJURY PRODUCT LIABILITY [] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	BANKRUPTCY [] 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881 [] 690 OTHER	JUDGMENT [] 422 APPEAL 28 USC 158 [] 423 WITHDRAWAL 28 USC 157	OTHER STATUTES [] 375 FALSE CLAIMS [] 376 QUI TAM [] 400 STATE REAPPORTIONMENT [] 410 ANTITRUST [] 430 BANKS & BANKING [] 450 COMMERCE [] 460 DEPORTATION [] 470 RACKETEER INFLU- ENCED & CORRUPT ORGANIZATION ACT (RICO) [] 480 CONSUMER CREDIT [] 490 CABLE/SATELLITE TV
[] 110 INSURANCE [] 120 MARINE [] 130 MILLER ACT [] 140 NEGOTIABLE INSTRUMENT [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT [] 151 MEDICARE ACT [] 152 RECOVERY OF DEFUNTED STUDENT LOANS (EXCL VETERANS) [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS [] 160 STOCKHOLDERS SUITS [] 190 OTHER CONTRACT CONTRACT PRODUCT LIABILITY [] 195 FRANCHISE	ACTIONS UNDER STATUTES CIVIL RIGHTS [] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	PERSONAL PROPERTY [] 820 COPYRIGHTS [] 830 PATENT [] 370 OTHER FRAUD [] 371 TRUTH IN LENDING	PROPERTY RIGHTS [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION [] 840 TRADEMARK	SOCIAL SECURITY [] 861 HIA (1395ff) [] 862 BLACK LUNG (923) [] 863 DIWC/DIWV (405(g)) [] 864 SSID TITLE XVI [] 865 RSI (405(g))	SECURITIES/ COMMODITIES/ EXCHANGE [] 850 OTHER STATUTORY ACTIONS [] 891 AGRICULTURAL ACTS	
[] 210 LAND CONDEMNATION [] 220 FORECLOSURE RENT LEASE & EJECTMENT [] 230 TORTS TO LAND TORT PRODUCT LIABILITY [] 240 ALL OTHER REAL PROPERTY	PRISONER PETITIONS [] 463 ALIEN DETAINEE [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255 [] 530 HABEAS CORPUS [] 535 DEATH PENALTY [] 540 MANDAMUS & OTHER	PRISONER CIVIL RIGHTS [] 441 VOTING [] 442 EMPLOYMENT [] 443 HOUSING/ ACCOMMODATIONS [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT [] 446 AMERICANS WITH DISABILITIES - OTHER [] 448 EDUCATION	IMMIGRATION [] 462 NATURALIZATION APPLICATION [] 550 CIVIL RIGHTS [] 555 PRISON CONDITION [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	FEDERAL TAX SUITS [] 710 FAIR LABOR STANDARDS ACT [] 720 LABOR/MGMT RELATIONS [] 740 RAILWAY LABOR ACT [] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	OTHER STATUTES [] 870 TAXES (U.S. Plaintiff or Defendant) [] 871 IRS-THIRD PARTY 26 USC 7609 [] 893 ENVIRONMENTAL MATTERS [] 895 FREEDOM OF INFORMATION ACT [] 896 ARBITRATION [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION [] 950 CONSTITUTIONALITY OF STATE STATUTES	

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$80,000,000 OTHER JUDGE DOCKET NUMBER

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

ORIGIN

- 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from (Specify District) 6 Multidistrict Litigation (Transferred) 7 Appeal to District Judge from Magistrate Judge

a. all parties represented b. At least one party is pro se.

8 Multidistrict Litigation (Direct File)

(PLACE AN *x* IN ONE BOX ONLY)

BASIS OF JURISDICTION

**IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.**

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	<input type="checkbox"/> PTF [] 1	<input type="checkbox"/> DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/> PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	<input type="checkbox"/> PTF [] 5	<input type="checkbox"/> DEF [] 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> [] 2	<input checked="" type="checkbox"/> [x] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input checked="" type="checkbox"/> [x] 4 [] 4	FOREIGN NATION	<input type="checkbox"/> [] 6	<input type="checkbox"/> [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Vuzix Corporation
25 Hendrix Road
West Henrietta, New York 14586
Monroe County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Richard Pearson
Marina del Rey, Los Angeles, California

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 1/23/19
s/Christine N. Walz
SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
[X] YES (DATE ADMITTED Mo.01 _____ Yr. 2017 _____)
Attorney Bar Code # CW5682

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)